

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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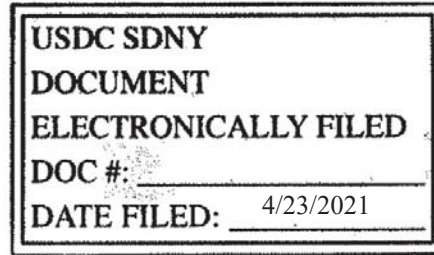
UNITED STATES OF AMERICA

- against -

MUHAMMAD KHALID KHAN

Defendant.

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ORDER OF
JUDICIAL
REMOVAL

S1 18 CR 830 (VSB)

Upon the application of the United States of America, by Rebekah Donaleski, Assistant United States Attorney, Southern District of New York, and Kimberly Ravener, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of MUHAMMAD KHALID KHAN ("the defendant") and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of Pakistan and a citizen of Pakistan.
3. The defendant was paroled into the United States at John F. Kennedy International Airport, Queens, New York on or about April 29, 2019.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, of Attempted Narcotics Importation, in violation of Title 21, United States Code, Sections 963, 959(d), 960(b)(1)(A). The controlled substance involved in the offense was one kilogram and more of heroin.

5. The maximum sentence for violation of Title 21, United States Code, Sections 963, 959(d), and 960(b)(1)(A), is life imprisonment.

6. At the time of sentencing in the instant criminal proceeding, the defendant will also be convicted in the United States District Court, Southern District of New York, of Promotional Money Laundering, in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2.

7. The maximum sentence for violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 2 is 20 years' imprisonment.

8. The total maximum term of imprisonment for both offenses is life imprisonment, with a mandatory minimum of 10 years' imprisonment. *However, Defendant Khan is eligible and qualifies for relief from the mandatory minimum sentence. VB*

9. The defendant is and at sentencing will be subject to removal from the United States pursuant to Section 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act of 1952 ("INA"), as amended, 8 U.S.C. § 1182(a)(2)(A)(i)(I), as an alien who has been convicted of a crime involving moral turpitude (other than a purely political offense) or an attempt or conspiracy to commit such a crime; Section 212(a)(2)(A)(i)(II) of the INA, 8 U.S.C. § 1182(a)(2)(A)(i)(II), as an alien who has been convicted of, or who admits having committed acts which constitute the essential elements of, a violation of (or a conspiracy or attempt to violate) any law or regulation of a State, the United States, or a foreign country relating to a controlled substance; Section 212(a)(2)(C) of the INA, 8 U.S.C. § 1182(a)(2)(C), as an alien who the Attorney General knows or has reason to believe is or has been an illicit trafficker in any controlled substance or in any listed chemical (as defined in Section 802 of Title 21); and Section 212(a)(7)(A)(i)(I) of the INA, as amended, 8 U.S.C. § 1182(a)(7)(A)(i)(I), as an alien who, at the time of application for admission, was not in possession of a valid immigrant visa reentry permit, border crossing identification card, or other valid entry document required by the INA.


10. The defendant has waived his right to notice and a hearing under Section 238(c) of the INA, 8 U.S.C. § 1228(c).

11. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), that the defendant shall be removed from the United States promptly upon his release from confinement, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing, and that the defendant be ordered removed to Pakistan.

Dated: New York, New York

April 23, 2021



THE HONORABLE VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE